

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In re:

Supportive Health LLC,
Debtor.

Case No.: 21-15113-VFP

Chapter 7

Honorable Vincent F. Papalia

Hearing Date

2021 NOV 16 AM 10:00
CLERK'S OFFICE
Wiley

OBJECTION OF CREDIT AND DEBTOR'S PRINCIPAL CARLINE BOLIVAR TO
TRUSTEE ERIC PERKINS MOTION TO TURN OVER RENT

Carline Bolivar, in her capacity as a creditor to the debtor, Supportive Health LLC, and further as principal of Supportive Health LLC, hereby files this objection ("Objection") to the Trustee Eric Perkins motion to turn over rent, and respectfully states as follows:

1. A motion to turn over rent has been filed with the court by the U.S. Trustee Eric Perkins on November 9, 2021 returnable on November 23, 2021. In addition, at the end of the notice of motion, the trustee states "*In addition, if you object to this Motion for Auction Sale, you or your attorney must attend the hearing scheduled to be held on November 30, 2021, at 10:00 a.m. at the United States Bankruptcy Court, Martin Luther King Jr Federal Building, 50 Walnut Street, Newark, New Jersey 07102, Courtroom No. 3B.*" As such, it is not certain if the Trustee is also asking the court to sell the debtor's properties at auction.

2. A motion to dismiss was filed with this court on November 2, 2021 and is returnable on December 7, 2021.

3. This motion should dismiss the case on several bases, including:

A. The debtor, Supportive Health LLC, was not represented by an attorney and an attorney did not file the bankruptcy petition. As such the petition can not be attached to Supportive Health LLC.

B. The sole officer of the company did not authorize the filing of the bankruptcy petition and did not sign it. As such, the bankruptcy filing is not valid and not be legally bound.

C. The bankruptcy petition is laden with errors and is not a sound basis to proceed with bankruptcy proceedings.

D. The company has assets that were not represented in the petition and has sufficient cashflow to repay its debt without the need to liquidate.

E. The bulk of the debt in question is not final for bankruptcy as it is still being litigated in state courts and is not ripe for bankruptcy.

4. In light of the motion to dismiss, the trustee's motion is premature and any further proceedings in the bankruptcy matter should wait until the adjudication of the motion to dismiss.

WHEREFORE, for the foregoing reasons, Carline Bolivar, respectfully requests that this Court deny the trustee's motion to turn over rent.



Carline Bolivar

DATED: November 10, 2021